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**FAX COVER SHEET**

From: Kevin T. Cuenot, Esquire

Date: June 30, 2003

PLEASE DELIVER \_3\_ PAGE(S) (including cover sheet) TO:

6169-95

Name: Examiner A. Armstrong  
Company: USPTO - Group Art 2654

Fax Number: 703-872-9314  
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**Comments/Special Instructions**

RE: INFORMAL COMMUNICATION / NOT TO BE ENTERED INTO FILE

Applicant: Fado, *et al.*  
Serial No.: 09/399,873  
Date Filed: September 20, 1999  
Examiner: A. Armstrong  
Group: 2654  
Entitled: PROCESS FOR IDENTIFYING EXCESS NOISE IN A COMPUTER SYSTEM

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June 30, 2003

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**INFORMAL COMMUNICATION**  
**Not to be entered into file**

Examiner Angela A. Armstrong  
U.S. Patent and Trademark Office  
Washington, DC 20231

RE: Serial No.: 09/399,873  
Applicant: Fado *et al.*  
Date Filed: September 20, 1999  
Entitled: PROCESS FOR IDENTIFYING EXCESS NOISE IN A  
COMPUTER SYSTEM  
Our Docket No. 6169-95

Dear Examiner Armstrong:

This is to confirm our teleconference scheduled for July 2, 2003 (this Wednesday) at 1:30 p.m. During the interview I would like to discuss U.S. Patent Application No. 6,324,499.

More particularly, in paragraph 2 of the Office Action, it was indicated that this reference was disqualified as prior art through 35 U.S.C. § 102(e), (f), and (g) in any rejection under 35 U.S.C. § 103(a). The Office Action also noted, however, that the reference additionally qualifies as prior art under another subsection of 35 U.S.C. § 102. Unfortunately, no subsection of 102 was specified in the Office Action.

On its face, the reference does not appear to fall under either § 102(a) or (b), and therefore, appears as though it should not be relied upon in support of the standing §

U.S. Patent Appln. No. 09/399,873  
Docket No. 6169-95  
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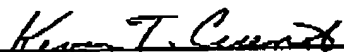
**INFORMAL COMMUNICATION**  
*Not To Be Entered Into File*

103 rejection. Accordingly, I would like to discuss this reference and its classification under § 102.

Thank you for your consideration. Please do not hesitate to call if you have any questions.

Respectfully submitted,

Date: 6/30/03

  
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